

REMARKS

Applicants have carefully considered the July 18, 2005 Office Action, and the amendments above together with the comments that follow are presented in a bona fide effort to address all issues raised in that Action and thereby place this case in condition for allowance. Claims 1-4 were pending in this application. In response to the Office Action dated July 18, 2005, claim 1 has been canceled and claim 3 has been amended. Care has been exercised to avoid the introduction of new matter. Adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure as, for example, the depicted embodiments and related discussion thereof in the written description of the specification. Applicants submit that the present Amendment does not generate any new matter issue. Entry of the present Amendment is respectfully solicited. It is believed that this response places this case in condition for allowance. Hence, prompt favorable reconsideration of this case is solicited.

The specification was objected to because of minor informalities. Applicants have amended the specification at page 2 to address the apparent misspelling identified by the Examiner. Accordingly, reconsideration and withdrawal of the objection are solicited.

Claim 3 was objected to because of informalities. Applicants have amended claim 3 to address the Examiner's concerns. Therefore, it is respectfully submitted that the imposed objection of claim 3 should be withdrawn.

Claims 1-4 were rejected under 35 U.S.C. § 102(e) as being anticipated by Morgan et al. (U.S. Pat. App. Pub. 2003/0227465, hereinafter "Morgan"). The Examiner referred to numbered paragraphs [0101] – [0108] and Figs. 1a, 1,b and 2, asserting the disclosure of a projection type video apparatus corresponding to that claimed. Applicants traverse.

Claim 1 has been canceled and, therefore, the rejection is moot with respect to this claim. Moreover, claims 2-4 are free from the applied art for the reasons set forth below.

The factual determination of lack of novelty under 35 U.S.C. § 102 requires the identical disclosure in a single reference of each element of a claimed invention, such that the identically claimed invention is placed into the possession of one having ordinary skill in the art. *Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F.3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994). Moreover, in imposing the rejection under 35 U.S.C. § 102, the Examiner is required to specifically identify wherein an applied reference is perceived to identically disclose each feature of a claimed invention. *In re Rijckaert*, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993); *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984). That burden has not been discharged. Moreover, there are significant differences between the claimed inventions and the apparatus disclosed by Morgan that would preclude the factual determination that Morgan identically describes the claimed inventions within the meaning of 35 U.S.C. § 102.

Although Morgan teaches light deflection means (112 and 114) for circularly scrolling and irradiating irradiated light in a direction perpendicular to the line direction on a hold-type display panel, Morgan fails to identically disclose the following feature of claim 2 of the present application:

“comprising by-area overdrive control means for taking overdrive control for emphasizing an input value which is carried out with respect to the input signal corresponding to an area at the center of the width of the hold-type display panel as reference overdrive control, to carry out by-area overdrive control, in which the farther an area is away from the center of the

width of the hold-type display panel in the horizontal direction, the higher the degree of emphasis of an input value is made, as compared with that degree of emphasis of an input value is made, as compared with that in the reference overdrive control, with respect to an input signal corresponding to the area”.

As set forth in the specification, beginning at page 24, an occurrence of a double image is prevented with the above described feature of claim 2. The Examiner has failed to identify where Morgan discloses or suggest the above described feature of claim 2.

The subject matter of claim 3 relates to a direct-view type video display apparatus in which a hold-type display panel is divided into a plurality of division areas in the vertical direction, a backlight is provided for each of the division areas, and ON/OFF of the backlight is controlled, so that light from the backlight is circularly scrolled and irradiated in a vertical direction, in which the writing of data progressed, for each of the division areas on the hold-type display panel.

There is no recitation about such a direct-view type video display apparatus in Morgan. Moreover, Morgan does not disclose the following feature of the invention as recited in claim 3:

“comprising by-area overdrive control means for taking, in each of the division areas on the hold-type display panel, overdrive control for emphasizing an input value which is carried out with respect to an input signal corresponding to an uppermost area in the division area as reference overdrive control, to carry out by-area overdrive control, in which the farther an area is away from the uppermost area in the vertical direction in the division area, the higher the degree of emphasis of an input value is made, as compared with that in the reference overdrive control, with respect to an input signal corresponding to the area”.

The subject matter of claim 4 requires that the light scrolling disc comprises a spiral-shaped light transmission portion and other light interruption portion, wherein the shape of light passing through the light transmission portion in the light scrolling disc is a pattern in a circular arc shape which is an inverted U shape. Specifically, the light scrolling disc of claim 4 consists of the spiral-shaped light transmission portion for outputting light of a circular arc-shaped pattern which is an inverse U shape and the other light interruption portion. Therefore, the shape of light irradiated on the display device is in an inverse U-shaped, circular arc-shaped pattern. Light is not irradiated on parts other than that irradiated with light of an inverse U shaped, circular arc-shaped pattern, in the display device.

In contrast, the wheel of Morgan as shown in Fig. 2 does not have a light interruption portion, and light of plural colors is output from the wheel. The shape of light of each color is in a circular arc-shaped pattern which is an inverted U shape. However, assuming the mass of light of all colors as a bundle of light, the bundle of light having a rectangular cross section is output from the wheel. Therefore, the bundle of light, the cross section of which is of a rectangular shape, is to be irradiated on the display device.

Specifically, the wheel of Morgan does not consist of the spiral-shaped light transmission portion for outputting light of a circular arc-shaped pattern that is an inverted U shape and the other light interruption portion. Therefore, the organization of the light scrolling disc as recited in claim 4 and that of the Morgan's wheel are distinct.

For the foregoing reasons, Applicants respectfully submit that Morgan fails to identically disclose every claims feature of claims 2-4. Accordingly, the rejection under 35 U.S.C. § 102(e) is not legally viable and should be withdrawn.

It is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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